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SIPDIS

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TAGS: NATO PREL MOPS MARR IZ
SUBJECT: NATO/IRAQ: ONE-TWO PUNCH MAY KO THE NATO TRAINING
MISSION IN IRAQ

REF: A. BAGHDAD-USNATO EMAIL EXCHANGE
1B. USNATO 15
1C. USNATO 09
1D. USNATO 06
1E. BAGHDAD 72

Classified By: Ambassador Kurt Volker for reasons 1.4 (b) and (d)

11. (C) SUMMARY: Legal status and force protection challenges could strike severe -- if not fatal blows -- to the NATO Training Mission in Iraq (NTM-I) at a time when the political will exists with our European Allies to expand their support for Iraqi Security Forces. First and most dangerous, our European Allies (except the UK that has a separate agreement) have indicated that they will likely abandon NTM-I if PM Maliki does not clarify the current ambiguity over the mission's legal status by stipulating that NATO personnel enjoy the same legal protections as U.S. troops, at least until a longer-term agreement can be agreed with Iraq. Second, NATO plans to remove its personnel from the principal Iraqi Military Academy in Ar Rustamiyah due to force protection concerns following a U.S. decision to withdraw from an adjacent Forward Operating Base. NATO will attempt to continue its engagement with the Academy by bringing mobile teams from other locations a few times a week, but the loss of a permanent presence would seriously handicap the mission's long-term viability. Resolving the legal and force protection issues would enable Allies to expand NTM-I's training activities and in so doing further multilateralize U.S. training efforts in Iraq. Left unresolved for long, however, either issue would undermine Allied support for the mission and likely lead to an unraveling of NTM-I. End Summary.

ALLIES NEED PM MALIKI'S ENDORSEMENT OF EOL

12. (C) NATO Allies are likely to follow Denmark's lead and withdraw their forces from Iraq within a month or two if NATO is unable to secure clarification that NATO personnel in Iraq have similar legal protections as those contained in the U.S.-Iraq SOFA. Allies base their continuing participation in NTM-I on the December 21/23, 2008 exchange of letters between Iraqi National Security Advisor Rubaie and the NATO SYG (reftels) that contains this assurance, however, the December -- Council of Representatives resolution provides for a lower level of legal protection from non-U.S. forces in Iraq, which has left Allies confused and seeking clarification. In a January 20 phone call, PM Maliki promised the NATO SYG that he would send a letter stating the

exchange of letters with Rubaie remains in effect, but it is unclear whether the letter is forthcoming. During North Atlantic Council meetings the Allies gave clear instructions to Assistant SYG Martin Howard that they would only remain in Iraq if extended similar legal protections as in the U.S.-Iraq SOFA and Howard will be seeking these terms during his February 9 visit to Baghdad.

13. (C) Poland has already shelved plans to expand its contribution as lead-nation for Iraqi border security training until the legal issues are resolved, and may withdraw its 17-person contribution without the promised endorsement. Italy and the Netherlands told us that they will be forced to reconsider its participation if the EOL is invalidated. Denmark has the political will to send its trainers back once the legal issues are resolved. All European Allies are concerned about the death penalty and Iraqi jurisdiction over their personnel, and will not accept Iraqi COR Resolution 50 as the legal basis for NTM-I. If Poland, the Netherlands, Denmark, and Italy all withdraw from NTM-I, USNATO assesses that the mission would not be viable beyond July 31 (the expiration date for the EOL), and could possibly collapse as early as NATO's 60th Anniversary Summit on April 2.

U.S. WITHDRAW FROM AR RUSTAMIYAH LIMITS NTM-I

14. (C) NATO has decided to remove its personnel and support staff from Ar Rustamiyah, home of the principal Iraqi Military Academy, as a result of the planned withdrawal of a U.S. brigade combat team from Ar Rustamiyah. The imminent

withdrawal of the U.S. brigade combat team from Forward Operating Base (FOB) Ar Rustamiyah is viewed by NATO military authorities as compromising force protection for the NTM-I permanent presence in the adjacent Iraqi Military Academy compound. The Ar Rustamiyah facility houses the Iraqi Joint Staff College and the Iraqi Military Academy, which produces about sixty percent of Iraq's newly commissioned officers and sets the standard for basic officer training. Given the importance of assisting the Iraqis in the long-term development of their officer training system, NATO will attempt to bring in mobile training teams a few times a week to Ar Rustamiyah to continue its training, advising and mentoring. Other NATO training activities in Iraq, such as the Italian-led Carabinieri training, are based in locations where security is provided by Coalition Forces and are unaffected by this situation. It will be very difficult to sustain NTM-I's effectiveness at Ar Rustamiyah over the long-term if NTM-I trainers only are brought in by helicopter from other locations a couple of times a week. USNATO assesses that such a concept may not prove durable and will likely result in NATO ending its in-country training for Iraqi officers, but NATO Allies would likely continue to make available training opportunities to Iraqi military officers outside Iraq.

COMMENT

15. (C) Resolution of legal and force protection issues are essential if we are to realize NTM-I's latent potential. Iraqi leaders have expressed great appreciation for the contributions made by NATO forces, and have indicated a desire to continue the relationship for several years. As the focus of Coalition Forces shifts towards training and supporting Iraqi Security Forces, the NATO training mission could serve an increasingly important function. Looking to our future posture in Iraq, the U.S. could explore ways to shift tasks and resources that are currently part of Multi-National Security Transition Command-Iraq (MNSTC-I) under the NATO umbrella. This would decrease the U.S. footprint and broaden political support for the GOI while achieving an increasingly multinational effort in Iraq. A new emphasis by the U.S. on such a multilateral approach to Iraq could reap increased contributions to train, advise and mentor Iraqi Security Forces from historically reluctant

Allies. Allies have the political will to continue and expand NTM-I if the legal and force protection issues can be resolved. END COMMENT.

VOLKER